

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF INDIANA  
FORT WAYNE DIVISION**

VICKI L. LEWIS,

Plaintiff,

V.

JO ANNE B. BARNHART,  
Commissioner of Social Security,

Defendant.

CASE NO.: 1:05-CV-334-TS

## ORDER

This matter is before the Court on Plaintiff Vicki L. Lewis's appeal from a final decision of the Commissioner of Social Security denying the Plaintiff's application under the Social Security Act for a period of disability and Disability Insurance Benefits. A judge may refer a dispositive matter to a magistrate judge for a Report and Recommendation pursuant to 28 U.S.C. § 636(b)(1)(B), Federal Rule of Civil Procedure 72(b), and Northern District of Indiana Local Rule 72.1(d)(1). The Court referred the appeal to Magistrate Judge Cosbey on October 30, 2006. The Magistrate Judge issued his Report and Recommendation on November 13, 2006.

This Court's review of the Magistrate's Report and Recommendation is governed by 28 U.S.C. § 636(b)(1)(C) which provides in part:

A judge of the court shall make a de novo determination of those portions of the report or specified proposed findings and recommendations to which objection is made. A judge of the court may accept, reject, or modify, in whole or in part, the findings and recommendations made by the magistrate. The judge may also receive further evidence or recommit the matter to the magistrate with instructions.

The statute also requires objections to the Magistrate’s Report and Recommendations to be made within ten days of service of a copy of the Report. *Id.* § 636(b)(1)(C).

Because the Defendant has not filed any objections to the Magistrate's Report, de novo

review is not required. This Court finds that the Magistrate has correctly resolved the issues raised by the parties' motions. Therefore, the Court accepts the Magistrate's Report and Recommendation.

### **CONCLUSION**

For the foregoing reasons, the Magistrate's Report and Recommendation [DE 13] is ACCEPTED. The Commissioner's decision is AFFIRMED.

SO ORDERED on January 10, 2007.

s/ Theresa L. Springmann  
THERESA L. SPRINGMANN  
UNITED STATES DISTRICT COURT